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April 27, 2022

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VIA ECF

The Honorable Joanna Seybert
United States District Judge
U.S.D.C., Eastern District of New York
100 Federal Plaza, Courtroom 1030
Central Islip, NY 11722

Re: *In re Hain Celestial Heavy Metals Baby Food Litigation*, Case No. 2:21-cv-678-JS-AYS
Notice of Supplemental Authority

Dear Judge Seybert:

After Hain Celestial filed its request for a pre-motion conference on April 15, 2022, the Honorable Stanley R. Chesler of the U.S. District Court for the District of New Jersey issued an opinion in *Kimca v. Sprout Foods, Inc.* on April 25, 2022 in which he dismissed another consumer fraud lawsuit premised on the alleged presence of heavy metals in baby food products. Judge Chesler concluded that the plaintiffs lacked Article III standing because they did not plausibly allege that they faced an increased risk of harm as a result of consuming the defendant's baby foods and that they had not plausibly alleged an economic injury resulting from the defendant's labeling of its baby food products.

A copy of Judge Chesler's decision in *Kimca* is attached as **Exhibit A**. Hain Celestial is prepared to discuss the decision in more detail at the pre-motion conference concerning its anticipated motion to dismiss and/or stay this lawsuit.

Respectfully submitted,

/s/ Dean N. Panos
Dean N. Panos